

DUMONT JOINT LAND USE BOARD MINUTES FOR MARCH 26, 2013 MEETING

MINUTES

Flag Salute

SESSION: This is a meeting of the Joint Land Use Board, of the Borough of Dumont, held in the Council Chambers.

**March 26, 2013
7:30 PM**

SUNSHINE LAW: This meeting is a regularly scheduled meeting of the Joint Land Use Board, of The Borough of Dumont, held in the Council Chambers on March 26, 2013. The date, time, and location were established by the resolution of the Board. A copy of the resolution was forwarded to *The Record*, the *Ridgewood News*, and posted in the Borough Hall of the Borough of Dumont. All notice requirements of the Open Public Meetings Act of the State of New Jersey have been fulfilled.

ROLL CALL:

Thomas Trank	A	Michael Affrunti	P	Matthew Hayes	P
Michael Worner	P	Timothy Hickey	A	Elmer Pacia	P
William Goodman	P	Barbara Chen	P	Michael Cremin Alt # 1	P
Alfred Moriarty Alt # 2	P	Janet Masio Alt # 3	P	Mynor Frank Lopez Alt # 4	P
Chairman William Bochicchio	P				

Others: Board Attorney – Mark D. Madaio, Esq.: Marc Madaio-P
Board Engineer – Boswell Engineering: James Fordham-P
Board Planner – Neglia Engineering: Dan Kaufman-P
Board Clerk - Rosalia Bob-P

BUSINESS: Review and Approval of Business Professional Invoices

Chairman William Bochicchio states that he will sign off on these items at the end of the meeting.

BUSINESS: Approval of January and February 2013 Minutes

Chairman William Bochicchio states that he is tabling this item to the following month's meeting

BUSINESS: Discussion and Approval of JLUB By Laws

Motion to Approve: Michael Affrunti
2nd by: William Goodman

ROLL CALL:

Thomas Trank	NA	Michael Affrunti	Y	Matthew Hayes	NA
Michael Worner	Y	Timothy Hickey	NA	Elmer Pacia	Y
William Goodman	Y	Barbara Chen	A	Michael Cremin Alt # 1	Y
Alfred Moriarity Alt # 2	Y	Janet Masio Alt # 3	Y	Mynor Lopez Alt # 4	A
Chairman William Bochicchio	Y				

BUSINESS: Discussion of JLUB Application and Escrow Fee Schedule

Chairman William Bochicchio states that he is tabling this item to the following month's meeting

BUSINESS: Discussion of JLUB Public Procedure Instruction Notice

Chairman William Bochicchio states that he is tabling this item to the following month's meeting

BUSINESS: Discussion of JLUB Board Member Procedure Instruction Notice

Chairman William Bochicchio states that he is tabling this item to the following month's meeting

BUSINESS: Discussion of JLUB Application Site Inspection Authorization Notice

Chairman William Bochicchio states that he is tabling this item to the following month's meeting

RESOLUTION: 12-02 St. Mary's Senior Residence & St. Mary's Church

Chairman William Bochicchio states that he is tabling this item to the following month's meeting

RESOLUTION: 13-01 29 West Quackenbush Avenue Vincent & Karen Capazzi

Motion to Approve: Michael Affrunti
2nd by: William Goodman

ROLL CALL:

Thomas Trank	NA	Michael Affrunti	Y	Matthew Hayes	NA
Michael Worner	A	Timothy Hickey	NA	Elmer Pacia	Y

William Goodman	Y	Barbara Chen	Y	Michael Cremin Alt # 1	Y
Alfred Moriarity Alt # 2	Y	Janet Masio Alt # 3	Y	Mynor Lopez Alt # 4	A
Chairman William Bochicchio	Y				

FORMAL: 13-02 65 Erie Street Bill Beckett
Block- 1204, Lot- 10
Minor Subdivision and Site Plan Approval

The applicant's attorney, Richard Kelly begins by describing the lot and subdivision. He states that the taxes are up to date and presents the proof of mailings.

Richard Kelly calls his first witness who is the engineer for the project, Michael Hubschman. Mark Madaio begins by placing into evidence the subdivision plans as A1. Mr. Hubschman explains that on the east side of the existing house there is a 40 foot vacant lot. He explains that the subdivision will yield two lots in the dimensions of 40x104 feet. Mr. Hubschman details all the variance needed for the application. He states that seepage pits will be added to the properties and they will remove an existing patio to improve the impervious surface. He explains that the conditions on site will improve and will not affect the storm drainage due to the addition of seepage pits. He explains that in the surrounding area there are several 40 foot wide lots. Mark Madaio places into evidence the colorized tax sheet as A2. Mr. Hubschman explains that the application enhances the zoning plan, it's in keeping with the zoning of the area and it will improve the general welfare. He states that they will be fixing up the existing house and building a brand new house on the easterly side. Chairman William Bochicchio asks what size will the seepage pits be and how many trees will be removed, he also states that the master plan reflects that they don't want 40 foot wide lots. Mr. Hubschman states that the pits are 1000 gallon and 6 trees will be taken down. Janet Masio asks how many cars the driveway will fit. Mr. Hubschman states that the driveway is for 2 cars, one in the garage and one in the driveway. Elmer Pacia asks how many bedrooms will there be. Mr. Hubschman states that the existing house has 3 bedrooms and the new house will be 4 bedrooms. The board members discuss with Mr. Hubschman their concerns with the closeness in proximity of the two houses within their narrow side yard setback due to a side porch on the existing house.

Chairman William Bochicchio opens the hearing to the public. Robert Marini at 60 Erie Street states that he is concerned about the property distance and asks how many feet wide is the proposed house. Mr. Hubschman states that the house is 25 feet wide. Chairman William Bochicchio closes the hearing to the public.

Richard Kelly calls his next witness who is the architect for the project, Christopher Blake. Mr. Blake states that the existing house is a 2 story dwelling, 3 bedroom, concrete stucco house. He states that there was a porch on the front but it was enclosed to become

a room. He explains that the house needs repairs and to be updated. Mark Madaio places the architectural plans into evidence as A3. Mr. Blake states that the existing house has a gable front to which they will add cedar shake in front of the gable. He explains that there is a small 2.25 jut out from the porch. He states that the proposed house is 1,000 square foot footprint, it will have a 1 car garage with a mud room into the house, dining room/family/kitchen area in an open floor plan, and the second floor will have 4 bedrooms and 2 bathrooms. He states that the house will fit the neighborhood and will have a traditional look with a stone bottom and vinyl siding.

Chairman William Bochicchio opens the hearing to the public. Robert Marini at 60 Erie Street asks how far from the street will the house be. Mr. Blake states that the house will be 18.2 feet from the street. The board asks if they could remove some of the porch on the existing house to make it conform better. Mr. Blake states that if they did that it would improve the side yard setback from 2.2 feet to 5.2 feet. Richard Kelly states that his client would consider removing that section. Chairman William Bochicchio closes the hearing to the public.

Richard Kelly calls his next witness who is the property owner, William Beckett. Mr. Beckett states that he would make the existing house more conforming and will be building the new house. He is a business owner in town and has roots in town. He states that he is the owner of the property but will not occupy it. Michael Affrunti states that the existing house needs to conform because in the future if you put up a fence it will cause a problem.

Chairman William Bochicchio opens the hearing to the public. Robert Marini at 60 Erie Street asks if the applicant will be planning on selling or renting the properties. Mr. Beckett states that they will be eventually selling both houses. Chairman William Bochicchio closes the hearing to the public.

Richard Kelly begins his summation by stating that the application speaks for itself. He states that the surrounding area is majority lots of this size and the subdivision will fit with the neighborhood. Chairman William Bochicchio asks about the sidewalks. Mr. Kelly states that they are fair but the applicant would replace them if approved and would also add curbing. Elmer Pacia asks about the retaining wall and the drainage. Mr. Hubschman states that it will be graded out, they will get rid of the crumbling wall and the lots are pitched so this would level them out. Marc Madaio asks if there is a parking variance for the new house. Several board members begin discussing the parking at the new house and that it will be an issue. Mr. Hubschman states that SIS requires 2.5 spaces based on the bedrooms. He states that if they adjust the front impervious coverage we could fit in pavers for another parking space. Mark Madaio states that they would amend the variances to create additional parking on the new house. Mr. Kelly states that they are willing to amend for a parking variance or amend the front impervious coverage to

add additional parking. Mr. Hubschman states that he can add decorative pavers to widen the driveway to 16 feet and that would allow for 3 parking spaces. Mr. Hubschman and the board professionals discuss the calculations and they state that the new percentage will be 42% for front impervious coverage. Chairman William Boichichio calls for a motion from the board.

Motion to Approve: William Goodman
2nd by: Michael Worner

ROLL CALL:

Thomas Trank	NA	Michael Affrunti	Y	Matthew Hayes	Y
Michael Worner	Y	Timothy Hickey	NA	Elmer Pacia	Y
William Goodman	Y	Barbara Chen	Y	Michael Cremin Alt # 1	Y
Alfred Moriarity Alt # 2	NA	Janet Masio Alt # 3	NA	Mynor Lopez Alt # 4	NA
Chairman William Boichichio	Y				

FORMAL: 13-03 Veterans Plaza/Roosevelt Avenue PSE&G
Block- 822, Lot- 5
Substation Reinforcement Project and Site Plan Approval

The attorney for the applicant, Anna Matera begins by stating that the application is for D & C variances. She states that she will present three witnesses to provide testimony and the application is to upgrade an existing substation site.

Anna Matera calls her first witness who is the design engineer for the project, Noel Rivera Jr. Mr. Rivera states that they looking to do a facility substation upgrade to the existing site. He explains that they are looking to add new breakers and transformers to the site. He explains that there is a need in Dumont to upgrade so that the town can be connected to other upgraded towns. He states that the existing supply in only 26,000 volts but after the upgrade the town will have two switching stations that will supply the town, this would allow that if one station goes down the town will not lose power because there will be a backup station.

Anna Matera calls her next witness who is the engineer for the project, Robert Canham. Mark Madaio places into evidence the engineer's site plan and elevations details as A1-A3. Mr. Canham states that the existing site is a half-acre substation surrounded by a chain link fence. He states that they will be adding new transformers and the first floor of the new building will be the control area with monitors. He states that the project will take approximately 10-11 months and it will begin in 2014. He explains that the first phase will consist of removing the existing features and the installation of the new foundation. He states that the existing trees will be removed but they will add a new

sidewalk, a small grass area and proper fencing. The new fence will be eight feet tall and constructed from a new non-metallic plastic fencing. He explains that there will be no barbwire on the proposed fence. He states that the station will not be staffed full time and it will utilize the same staff as it currently has. He explains that a tech will come to the site, pull up to the gate, park within the yard and leave after. Chairman William Bochicchio states that the building is proposed to be 59 feet in height. Mr. Canham explains that the building is 39 feet tall and will have a 20 foot lighting rod on top of the roof. He states that the additional rod will offer more protection. Chairman William Bochicchio states that he has a concern of kids trying to climb the fence. Mr. Canham states that the fence is designed so that no one can climb it. He also states that the building has to be that big due to the equipment and has to be located at that particular spot because the building has to be 16 feet away from the transformers. He states that they cannot do the upgrade without this building. Chairman William Bochicchio states that the platform is only 2.5 feet away from the fence and this could potentially cause problems. Mark Madaio asks if it could be moved to the other side. Mr. Canham states that they need to provide emergency egress by code and if they move the ladder it would not meet code. Mark Madaio asks what is the difference in height between this proposed site with the lighting rod in comparison to the CVS building which is next door. Mr. Canham states that CVS is 28-30 feet tall. Janet Masio asks if there will be any power outages for this work and would this help with the storm power outages. Mr. Canham states that no outages will happen from the work and yes it would help with storm outages. Michael Worner asks what will be on the second floor of the building. Mr. Canham states that the first floor will be the GIS equipment to be housed and the second floor will be the electrical panels to monitor the current. He states that the new equipment is quieter and will comply with the noise ordinance.

Chairman William Bochicchio opens the hearing to the public. John Ferman at 93 West Shore Avenue asks about the necessity of the building being this tall in height. Mr. Canham states that the ceiling height has to be a specific clearance for the equipment. Mr. Ferman asks about the height of the lighting rod. Mr. Canham states that the lighting rod is necessary for the site. Walter Emanuel at 170 Veterans Plaza asks about the electromagnetic pulsations and how they can cause health problems. Mr. Canham states that there will be no electromagnetic field from this so there should be no issues. Bob Dewalt at 306 Depew Street states that he is a member of the Dumont Board of Ed and asks about the existing building and the existing fence. Mr. Canham states that the existing building will come down for the new one and the old fence will be replaced with the new material fence. Barbara Chen asks if the upgrade will be comparable to the upgrades in other towns and will the facility be rated to survive a 100 year storm. Mr. Canham states that the upgrade will be comparable and the equipment is not rated to survive a storm. He states that the new sources would help the town. The board

members begin asking questions about the aesthetics of the building. Mark Madaio states that it will be a tan warehouse, industrial type building. Chairman William Bochicchio closes the hearing to the public.

Anna Matera calls her next witness who is the planner for the project, Jennifer Beahm. Mrs. Beahm states that she has been involved in the overall planning, reviewed the borough's ordinance and master plan. She describes the surrounding area of the site. She states that the substation is in the B2 zone and has been there since the 1950's and currently uses a 60 year old building. She details to the board the D variances needed, D2 expansion of the existing non-conforming use and D6 height. She states that there is a C2 hardship variance but that the C variance becomes included within the D variances. Mrs. Beahm explains that there is a need to provide service and that this is a big project spanning several municipalities. She states that the lighting rod mass is required per energy code and the current substation is not up to code. She explains that the public utilities promote the public good and are inherently beneficial because they promote the general welfare. She details that there will be no substantial negative impact and this is the ideal site. She states that the new building is as far away from the residents as they could make it. Mrs. Beahm states that they are proposing landscaping between the fence and building will also improving the fencing greatly with a new non climbable fencing material. She explains that the positives of the project out way the negatives. She details that the existing building will stay for the duration of the project and it will not come down till they are up and running. Chairman William Bochicchio asks about the sidewalk width and green space. Mrs. Beahm states that the sidewalk is 4 feet in width and then a foot of green area. She explains that landscaping will be done but it will be shrubs that will need to meet with PSE&G security requirements. Chairman William Bochicchio asks about any environmental or air quality impacts. Mrs. Beahm states that the equipment will be newer and will comply with newer standards so there will be less environmental impacts. Frank Lopez asks if there will be any extra lighting. Mrs. Beahm states that there are 7 fixtures and their light exceeding the property boundaries are minimal. She states that they are improving the site and making it more aesthetically pleasing.

Chairman William Bochicchio opens the hearing to the public. Bob Dewalt from 306 Depew Street asks how far the sidewalk will extend. Mrs. Beahm states that it will only be on PSE&G property and connect to the CVS sidewalk. Chairman William Bochicchio asks where they will be putting all this equipment. Mrs. Beahm states that the municipality will help them stage the project and equipment. Mark Madaio places into evidence the board's professional letters and county approval letters as B1-B3. Chairman William Bochicchio closes the hearing to the public.

Chairman William Bochicchio states that he would like a stipulation added of moving the platform to the front of the building. Mark Madaio states that the motion would be for Preliminary and Final Site Plan Approval along with the stipulations imposed. Chairman William Bochicchio calls for a motion from the board.

Motion to Approve: Michael Cremin
2nd by: Elmer Pacia

ROLL CALL:

Thomas Trank	NA	Michael Affrunti	Y	Matthew Hayes	NA
Michael Worner	Y	Timothy Hickey	NA	Elmer Pacia	Y
William Goodman	Y	Barbara Chen	Y	Michael Cremin Alt # 1	Y
Alfred Moriarity Alt # 2	NA	Janet Masio Alt # 3	NA	Mynor Lopez Alt # 4	NA
Chairman William Bochicchio	Y				

Minutes respectfully submitted by:
Rosalia Bob
Joint Land Use Board Clerk